

**HEARING AID DISPENSERS BUREAU**

1422 Howe Avenue, Suite 5, Sacramento, CA 95825-3204
Telephone: (916) 263-2288 Fax: (916) 263-2290



HEARING AID DISPENSERS BUREAU COMPLAINT PROCESS

The Hearing Aid Dispensers Bureau was created to protect consumers through its licensing and enforcement functions. The Hearing Aid Dispensers Bureau licenses individuals as hearing aid dispensers and works to ensure that they comply with the Hearing Aid Dispensers Licensing Law. It is through licensure and the potential of suspension, revocation, or other discipline that limits licensed practice, that the Hearing Aid Dispensers Bureau takes steps to enforce the laws and regulations that pertain to hearing aid dispensers. Since the law does not give the Hearing Aid Dispensers Bureau statutory authority to establish an inspection program, most of the Hearing Aid Dispensers Bureau actions result from written complaints regarding violations by hearing aid dispensers.

Filing a Complaint

- Request a complaint form from the Hearing Aid Dispensers Bureau.
- Complete both sides of the complaint form. *Be sure to state the exact nature of the complaint.*
- Attach a copy of the purchase agreement and any other documents that relate to the transaction.
- Sign, date, and mail the complaint to:

**Hearing Aid Dispensers Bureau
1422 Howe Avenue, Suite 5
Sacramento, CA 95825-3204**

Complaint Process

- Written complaint received.
- The complaint information is entered on the computerized tracking system, given a case number, and a file is made.
- An acknowledgment letter and/or request for additional information is mailed.
- Complaint information is confidential. However, in some cases, the licensee may be advised of a complainant's specific concerns. In that event, the dispenser is advised of the complaint and asked to respond. If no response is received, we will make additional requests to ensure that the dispenser is aware of the allegation and has an opportunity to defend him/herself or to take care of any misunderstanding that may have occurred.
- If the allegations are very serious, or a number of complaints are received against one dispenser, the office will initiate an investigation of that dispenser's activities to be conducted by the Division of Investigation of the Department of Consumer Affairs.
- If the results of the investigation confirm the allegations of illegal activity, the investigation report is forwarded to the Attorney General's Office with a request to initiate legal proceedings. These cases generally lead to a hearing and result in formal disciplinary action. If the investigation confirms criminal activity, the case may also be referred to the local District Attorney.

Disciplinary Action

There are many degrees of effective disciplinary action that the Hearing Aid Dispensers Bureau may impose. Informal action may consist of advising and counseling the dispenser with a focus on education and/or issuing a citation, a violation or warning letter. Formal disciplinary action may result in revocation or voluntary surrender of the license, suspension of practice, or a probationary period with specific restrictions. Only formal disciplinary action will be disclosed when you call to check on a hearing aid dispenser's license.

Types of Complaints the Hearing Aid Dispensers Bureau Can Handle

- Examples of violations of law include, but are not limited to, the following:
- Failure to comply with the 30-day warranty on hearing aids
- Fraud or misrepresentation in the fitting or selling of a hearing aid
- Any practice outside the scope of the dispenser's license or below accepted professional standards which includes the improper or unnecessary fitting of a hearing aid, negligence, or incompetency
- Conviction of a criminal offense related to the profession
- Unlicensed practice
- Deceptive or misleading advertising

Types of Complaints the Hearing Aid Dispensers Bureau Cannot Handle

Fee or billing disputes
General business practices
Personality conflicts

Fee and billing disputes should be filed through small claims court, an attorney, or professional associations such as Hearing HealthCare Providers/California (714/508-0276).

If you have a complaint that is not under the Hearing Aid Dispensers Bureau's jurisdiction and are not sure which agency to contact, the Department of Consumer Affairs will accept and refer complaints for you:

Consumer Assistance Office
Department of Consumer Affairs
400 R Street
Sacramento, CA 95814
(916) 445-1254 or (800) 952-5210

How Long Does it Take To Process a Complaint?

Complaint and disciplinary procedures regarding hearing aid dispensers move slowly, and each dispenser under investigation is considered innocent until proven guilty. The formal procedures were designed to ensure due process, much like the criminal court procedures. It can take several weeks to several months to complete an investigation and determine the appropriate course of action. If you file a complaint, it will be carefully evaluated and you will be notified of any action taken.

Remember that any action taken by the Hearing Aid Dispensers Bureau has no impact on civil remedies that may be available to you. Options for civil recourse include, but are not limited to, legal counsel, small claims court, arbitration, and mediation through professional associations.

Hearing Aid Dispensers Bureau

The Hearing Aid Dispensers Bureau encourages each consumer to file a formal complaint if there is any question regarding care provided by a hearing aid dispenser. If you have any questions regarding a hearing aid dispenser, the purchase or return of hearing aids, or you wish to obtain a complaint form, please write the office at 1422 Howe Avenue, Suite 5, Sacramento, CA 95825-3204 or call 916/263-2288.